

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ESTERLITA CORTES TAPANG,

Plaintiff,

v.

WELLS FARGO BANK, N.A., successor by
merger to Wells Fargo Bank Minnesota, N.A., as
Trustee f/k/a Northwest Bank Minnesota, N.A.,
as Trustee for the registered holders of
Structured Asset Securities Corporation,
Amortizing Residential Collateral Trust,
Mortgage Pass-Through Certificates, Series
2002-BC9; STRUCTURED ASSET
SECURITIES CORPORATION, Amortizing
Residential Collateral Trust, Mortgage Pass-
Through Certificates, Series 2002-BC9;
STRUCTURED ASSET SECURITIES
CORPORATION; OCWEN LOAN
SERVICING, LLC; FINANCE AMERICA,
LLC; WESTERN PROGRESSIVE, LLC;
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.; and DOES 1 through 500,
INCLUSIVE,

Defendants.

Case No.: 12-CV-02183-LHK

ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE

On May 2, 2012, and May 22, 2012, Plaintiff Esterlita Cortes Tapang (“Plaintiff”) filed *ex parte* applications for a temporary restraining order (“TRO”). On May 3, 2012, Plaintiff filed her complaint in this action. Plaintiff never served the Summons, Complaint, or the two TRO applications on any Defendants.

1 On May 23, 2012, the Court issued an order denying Plaintiff's second *ex parte* TRO
2 application, and ordering Plaintiff to file proof of service of the Summons, Complaint, Plaintiff's
3 second TRO application, and the Order denying Plaintiff's second TRO application on all
4 Defendants by May 25, 2012. ECF No. 11 ("May 23 Order"). The Court further ordered
5 Defendants to file a response to Plaintiff's TRO by June 7, 2012, contingent upon Plaintiff's
6 compliance with the Court's May 23 Order, and scheduled a hearing on Plaintiff's motion for a
7 preliminary injunction for June 21, 2012, at 1:30 p.m.

8 Plaintiff has failed to comply with the Court's May 23 Order. As of today, June 1, 2012,
9 Plaintiff has not filed proof of service of the Summons and Complaint, the second TRO
10 application, and the Order denying Plaintiff's second TRO application on any of the Defendants.
11 Accordingly, Plaintiff is hereby ORDERED to show cause why this case should not be dismissed
12 for failure to prosecute. Plaintiff's response to this Order to Show Cause is due June 14, 2012.
13 The hearing on Plaintiff's motion for a preliminary injunction is hereby VACATED, and a hearing
14 on this Order to Show Cause will take place instead on June 21, 2012, at 1:30 p.m. Plaintiff's
15 failure to respond by June 14, 2012 and failure to appear at the June 21, 2012 hearing will result in
16 dismissal of this action with prejudice for failure to prosecute.

17 **IT IS SO ORDERED.**

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19 Dated: June 1, 2012

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21 LUCY H. KOH
22 United States District Judge
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